

MINUTES

**MONTANA SENATE
56th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By **CHAIRMAN MIKE SPRAGUE**, on March 23, 1999 at 3:00 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Mike Sprague, Chairman (R)
Sen. Ken Miller, Vice Chairman (R)
Sen. John C. Bohlinger (R)
Sen. Chris Christiaens (D)
Sen. Dorothy Eck (D)
Sen. Bill Glaser (R)
Sen. Duane Grimes (R)
Sen. Don Hargrove (R)
Sen. J.D. Lynch (D)
Sen. Dale Mahlum (R)
Sen. Jon Tester (D)

Members Excused: None.

Members Absent: None.

Staff Present: Jodi Pauley, Committee Secretary
Mary Vandembosch, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 338, 3/19/1999; HB 560,
3/19/1999; HB 586, 3/19/1999;
HB 325, 3/19/1999; HB 326,
3/19/1999
Executive Action: HB 326; HB 325; HB 586; HB
338; HB 614; HB 212

HEARING ON HB 338

Sponsor: REP. GAY ANN MASOLO, HD 40, Townsend

Proponents:

Eric Griffin, Lewis and Clark County Public Works Director
Jim Johnston, Butte-Silverbow Public Works Director

Opponents: None

Opening Statement by Sponsor:

REP. GAY ANN MASOLO, HD 40, Townsend, said this bill will raise the bidding process for counties from \$20,000 to \$50,000.

Proponents' Testimony:

Eric Griffin, Lewis and Clark County Public Works Director, said increasing the bid limit to \$50,000 will enable Lewis and Clark County and road supervisors throughout the state to more effectively purchase equipment, materials and supplies. By raising the bid limit it will enable county governments a better opportunity to negotiate with local contractors, suppliers, dealers, and vendors.

Jim Johnston, Butte-Silverbow Public Works Director, said bidding limits are so low they can't even buy a pick-up locally without going to bid.

Opponents' Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

REP. MASOLO said the county can hardly buy anything for \$20,000 and this bill will save the counties money.

HEARING ON HB 560

Sponsor: **REP. MARIAN HANSON, HD 1, Ashland**

Proponents:

Vern Petersen, Fergus County Commissioner
Tom Hardin, Teton County Road Department
John Youngberg, Farm Bureau and Stockgrowers Assoc.
Bill Kennedy, Yellowstone County Commissioner
Glenna Obie, Jefferson County Commissioner
Bill Icenoggle, Glacier County Commissioner
Allan Lowry, Glacier County Commissioner

Eric Griffin, Lewis and Clark County Public Works Director
Bill Rappold, Pondera County

Opponents:

Conrad Yerger, West Babcock Street Home owners Assoc., Bozeman
Jim Stephens, West Babcock Street Home Owners Assoc.
Ray Rowe, West Babcock Street Home Owners Assoc.

Opening Statement by Sponsor:

REP. MARIAN HANSON, HD 1, Ashland, said this spells out what a county can do with their roads and defines duties relating to county roads. The main parts of the bill are on page 2 and 4. She said lines 19-24 were stricken out and she had some amendments to help this bill. **EXHIBIT(los65a01)** A public hearing has to be held before the county can do any of the ideas that are on page 2, lines 12-28. She said often times the highway commission will hold a hearing a long ways away and the county will not be able to attend. They ask that they at least be notified and have a hearing in the county that is being affected.

{Tape : 1; Side : A; Approx. Time Counter : 3:10 p.m.}

Proponents' Testimony:

Vern Petersen, Fergus County Commissioner, said there have been many people involved in bringing this bill to the Legislature. There has to be a public hearing held before any action can be taken and counties cannot just inherit roads.

Tom Hardin, Teton County Road Department, rose in support of HB 560. **EXHIBIT(los65a02)**

John Youngberg, Farm Bureau and Stockgrowers Assoc., explained the amendments. **(EXHIBIT 1)**

Bill Kennedy, Yellowstone County Commissioner, rose in support of the bill.

Glenna Obie, Jefferson County Commissioner, read a letter from Rickerd Felstet. **EXHIBIT(los65a03)**

Bill Icenoggle, Glacier County Commissioner, said he lives on 50 miles of dirt road and nobody uses a county road more than he does and he supports this bill.

Allan Lowry, Glacier County Commissioner, rose in support of HB 506.

Eric Griffin, Lewis and Clark County Public Works Director, said this bill helps provide clarification to issues concerning county roads.

Bill Rappold, Pondera County, urged support of this bill.

{Tape : 1; Side : A; Approx. Time Counter : 3:20 p.m.}

Opponents' Testimony:

Conrad Yerger, West Babcock Street Home Owners Assoc., Bozeman, said West Babcock Street was built and paid for by farmers and home owners. He said any work that was done on this street by the county was paid for by the landowners. West Babcock was always considered a private road by the county. The county commissioners are seeking to take away their property. They are planning on taking the 60 foot right away without paying for it. He read article 14 of the U.S. Constitution about citizens rights and due process of law and Article 2, Section 17 and Section 29 of the Montana Constitution. He said they would like to amend page 2, line 16.

Jim Stephens, West Babcock Street Home Owners Assoc., said they would like to strike "or by adverse use" on page 2, line 16. He said if these words are left in the bill it allows the government to take their land without due process.

Ray Rowe, West Babcock Street Home Owners Assoc., rose in opposition of the bill.

{Tape : 1; Side : A; Approx. Time Counter : 3:26 p.m.}

Questions from Committee Members and Responses:

SEN. JOHN BOHLINGER asked what the sponsor thought of the amendments. **REP. HANSON** said no one can take a road without a public hearing. **John Youngerberg** said the right to take land by eminent domain or by adverse use is provided for in another section of law. The road still has to be accepted by the county commissioners.

SEN. DUANE GRIMES said on page 2, line 19-21 the House struck this, why? **John Youngberg** said a county road that is not maintained regularly gets a big mud hole in it and the people start driving around it and pretty soon they are driving on the

ridge and it gets maintained on the ridge. A new owner comes in and buys the land and they discover where the old road should of been. This section of law says it doesn't matter where the road is, it stays there. They will still have an easement. He said in the old days they would go around hills, etc. and the road is where it is. He said they are very concerned about the road being moved where ever.

SEN. GRIMES said if the county is maintaining a road and it crosses private land they must get an easement and does this bill take away from that incentive. **John Youngberg** said no, they still have to go through the same procedure to get the road and the county commissioners have to accept the road.

SEN. DOROTHY ECK asked if the opponents are wanting to be compensated for the land on either side of the roadway and has an attorney looked at this. **Jim Stephens** said yes, they had an attorney look at this and there is a sleeper in the adverse language. They could come in through court action and take their land without compensation. They want to make the road 90 feet wide and it would take 30 feet of his property.

SEN. ECK asked if they couldn't get it through adverse use, would they have to go through eminent domain. **Jim Stephens** said yes, and then they would have to pay.

SEN. ECK asked if this would be sufficient to take out the adverse language or would the other part of the law still be a part of this issue. **Mary Vandebosch** said this deals with the definition of a road and other parts of the statute would apply to the adverse language. **Jim Stephens** said their attorney has looked at this and feels that the adverse language needs to be taken out. **Tom Hardin** said by taking the adverse language out it still wouldn't protect these land owners. This bill has brought together other portions of law to define a road. Land owners have to be reimbursed by the county or the state whether it is by eminent domain or adverse use. The county cannot just come in and take a road and this is defined in other areas of the statute.

SEN. ECK asked if the county could take a road without paying for it? **Vern Petersen** said this bill in no way would allow the county to take a road without compensation to land owners. Wether those words are taken out or not, will have no effect on this bill.

SEN. ECK asked if those land owners will be paid. **Vern Petersen** said they would have to be compensated. There is no provision in this bill or in current law that says a county can just take private property.

SEN. DON HARGROVE asked if there is somewhere in law that says if the proceedings were done before it was challenged, it doesn't matter. **Mary Vandembosch** said this is a saving clause that applies to proceedings. She said she didn't know if this bill would change this saving clause, but she didn't think it would. **Jim Stephens** said they met with the county and city commissioners concerning the road. He said the city and county are waiting for this law to be passed so they can get a declaratory judgement and the judge to sign it.

SEN. HARGROVE asked if the commissioners have told them that they are going to acquire the road one way or another with no compensation. **Jim Stephens** said yes, they are just waiting for this bill to be passed.

SEN. HARGROVE asked if the county is disputing the ownership of that road. **Jim Stephens** said the county thinks they own it.

{Tape : 1; Side : A; Approx. Time Counter : 3:45 p.m.}

SEN. MAHLUM said he cannot believe they can take land without paying for it. **Ray Rowe** said he has lived on that road for 41 years. He said it used to be a dirt road and the property owners went together and bought the black top and the county put it on. He said there are close to 5000 cars that go down that road a day. He said the road has never been approved a county road by eminent domain and now they are faced with this dilemma.

CHAIRMAN MIKE SPRAGUE asked if this dispute has anything to do with this bill. **Jane Jelinski, MACo**, said one of the problems is there is no clear definition of what a county road is. She said the county has been trying to get the right-of-way well before they knew about this legislation and they are not waiting for this bill to pass.

CHAIRMAN SPRAGUE asked if the Gallatin County Commissioners came up with this bill. **Jane Jelinski** said no.

CHAIRMAN SPRAGUE asked how did this bill come about. **Tom Hardin** said this bill came about from him. He said to try and define a county road they have taken different parts of existing laws and brought them together. He said roads still have to be taken in by eminent domain and the land owners will be compensated. He said petition roads have to be 60 feet.

SEN. BILL GLASER read page 3, line 9-11. **Tom Hardin** said part of that statement is law now in that county commissions have the right to develop the level of maintenance on county roads. He said they have 200 to 300 miles of two track trails that are

petitioned county roads that they don't maintain. The gas tax people made them put a blade on those and that created a road that was lower than the edges of the road and so they quit maintaining those and took the penalties instead.

SEN. GLASER asked why isn't there a Fiscal Note with this bill. **Tom Hardin** said in their county they haven't asked to be paid for the 200 miles of two track trails that they have lost. But other counties have perhaps done that. If the gas tax people ever go back to the policy that they have to maintain two track trails before they can get the money, then they would make a law to cover their back.

SEN. GLASER said if they struck the second half of that sentence on page 2, lines 9-11 is there anything left of this bill. **Tom Hardin** said no, all they are trying to do is protect themselves.

Closing by Sponsor:

REP. HANSON said this bill will not affect the opponents. She said counties don't have a definition of a county road and they need one. She said they have a county road that runs through their property and they have the privilege of paying the taxes of that county road.

{Tape : 1; Side : B; Approx. Time Counter : 3:57 p.m.}

HEARING ON HB 586

Sponsor: **REP. RICK DALE, HD 39, Whitehall**

Proponents:

Glenna Obie, Jefferson County Commissioner
Jani McCall, City of Billings
Jane Jelinski, Montana Assoc. of Counties
Terry Lonner, Gallatin County Open Lands Board

Opponents: None

Opening Statement by Sponsor:

REP. RICK DALE, HD 39, Whitehall, said currently the law allows for counties to form a park district through a mill levy assessment. This bill would give them the option at voter approval of using a flat fee per household so that the cost of the park district is supported equally by all residents. He said a problem arose, previously, in which they wanted to build a community swimming pool within a park district. He said an agricultural family that had two

children would pay more than a town family with two children because the agriculture family has more property. He said it does not give any authority to create new tax districts. He said everything in this bill is subject to the vote of the people to assess themselves these fees. He had some amendments for the bill. **EXHIBIT (los65a04)** He said this would help rural areas and enhance communities.

Proponents' Testimony:

Glenna Obie, Jefferson County Commissioner, said this is a fairness issue. She said they have small towns that have a wide variety of recreational opportunities with no way to maintain or improve those. People of the community want a park district in which they can put in some money with their tax bill that will go straight to the maintenance of those facilities. But this is charged out by how much property people own and this is not fair because not all families use these facilities all the time. What is fair is if every family and property owner pays a flat fee.

SEN. MILLER took over the chair.

Jani McCall, City of Billings, said this provides local control.

Jane Jelinski, Montana Assoc. of Counties, said their membership voted unanimously for this legislation.

Terry Lonner, Gallatin County Open Lands Board, read the mission statement of their board. He said this bill will make the creation of park districts more effective and fair for all the property owners living within that district. He said through this bill they will be able to exempt agriculture land.

{Tape : 1; Side : B; Approx. Time Counter : 4:15 p.m.}

Opponents' Testimony: None

Questions from Committee Members and Responses:

SEN. TESTER asked how are these park district laid out. **Glenna Obie** said when the petition is proposed they have to designate the legal boundary of the district. She said in Jefferson County they used the legal boundary of the television district. But they could be larger or smaller than that.

SEN. TESTER said if he had 800 acres on the fringe of the park district does he have to be a part of the park district. **Glenna Obie** said it would depend on where the residence is. However,

previously, whatever portion was in the legal description would of been in the park district.

SEN. TESTER asked if this would be a flat fee and not based on the value of the house or number of children, etc. **Glenna Obie** said it would be per household.

SEN. TESTER asked how much would this fee be. **Glenna Obie** said it would be around \$20 per year.

SEN HARGROVE asked if this will have anything to do with park districts for subdivisions. **REP. DALE** said not specifically. He said the residents in the subdivision could petition to form a park district.

SEN. HARGROVE asked if there is any limit to the size and boundaries of a park district and the amount of money that can be collected. **REP. DALE** said there would be no limit to the fee except for what the people voted for.

Closing by Sponsor:

REP. DALE said everything in this is subject to a vote by the people that it will affect. A fee cannot exceed over what the voters have authorized.

{Tape : 1; Side : B; Approx. Time Counter : 4:20 p.m.}

CHAIRMAN SPRAGUE took over the chair.

HEARING ON HB 325

Sponsor: **REP. MATT BRAINARD, HD 62, Missoula**

Proponents:

Jane Jelinski, MACo

Opponents: None

Opening Statement by Sponsor:

REP. MATT BRAINARD, HD 62, Missoula, said currently there is no legislation to regulate barking dogs. He said this bill will give the County Commissioners the authority to make an ordinance for this. He said this does exempt veterinary boarding facilities and agriculture livestock operations. He passed out a petition of signatures. **EXHIBIT(1os65a05)**

Proponents' Testimony:

Jane Jelinski, MACo, rose in support of HB 325.

Opponents' Testimony: None

Questions from Committee Members and Responses:

SEN. CHRISTIAENS asked why is agriculture exempt from this. **REP. BRAINARD** said there are people that might have dogs to move stock, etc. It is not fair that a person can be put out of business because the neighboring subdivision complains about the noise.

SEN. CHRISTIAENS said what if there are five acre plots and people are raising rabbits and the neighbor's dog makes these rabbits nervous and they abort their litters. He asked would this bill cover that. **Mary Vandenbosch** said agriculture livestock operations are not defined in the statutes.

SEN. BOHLINGER asked how come the language was struck that dealt with time lines on when they were supposed to notify the authorities. **REP. BRAINARD** said they felt they should give more latitude to county commissioners.

SEN. BOHLINGER asked would it be helpful to have specific language in the bill to give direction to County Commissioners in respect to time limits. **REP. BRAINARD** said if the committee feels it would make it a better bill, then they can do that.

SEN. BOHLINGER said in the original bill there was a penalty and this was struck, why was that. **REP. BRAINARD** said the penalty is defined in other areas of the law.

SEN. ECK referred to a letter from Jay Sage. **EXHIBIT(1os65a06)** And wouldn't our public nuisance laws take care of this. **REP. BRAINARD** said most people do not want to get involved in court situations which is how it is handled in the public nuisance laws. If this bill was enacted and an ordinance was passed, more people would take care of their dogs, etc. and they won't have to go to court.

SEN. HARGROVE asked how big of a problem is this. Cities are taken care of and this may be micro-management and imposing a lot of government where they expect people to talk to each other, etc. **REP. BRAINARD** said they already have in code that allows the county to adopt ordinances on dogs at large. He said they are giving the counties an option to deal with these problems.

Closing by Sponsor:

REP. BRAINARD closed on HB 325.

HEARING ON HB 326

Sponsor: REP. MATT BRAINARD, HD 62, Missoula

Proponents:

Leo Hudetz, Yellowstone County Auditor

Susan Reed, Missoula County Auditor

Tom Harrison, MT Society of CPAs

Opponents:

Jane Jelinski, MACo

Jim Reno, Yellowstone County Commissioners

Tim Burton, Chief Administrative Officer of Lewis and Clark Co.

Opening Statement by Sponsor:

REP. MATT BRAINARD, HD 62, Missoula, said this bill allows the county commissioners and auditors to move up in technology and bring their job descriptions into the 21st century.

Proponents' Testimony:

Leo Hudetz, Yellowstone County Auditor, said they want to update the county auditor statutes. This bill will allow county auditors to do performance audits, compliance audits, and financial audits with the consent of the County Commissioners and if they meet qualifications of the county auditor. He said it defines more clearly what is expected of a county auditor and what they can do. He said there are many other states in which county auditors are conducting performance audits and are making counties more accountable, more efficient and more open to the people that they serve.

Susan Reed, Missoula County Auditor, turned in a letter of support from her county commissioners. **EXHIBIT(10565a07)** The auditors do a variety of jobs. They review claims, provide advice to the board of county commissioners, and do some performance, compliance and financial audits. Performance audits can help counties upgrade internal procedures, internal control, add economy, efficiency, and anticipate financial problems. She turned in newspaper articles about fraud that the counties have

faced. **EXHIBIT (los65a08)** This bill will not cost the taxpayers a single penny.

Tom Harrison, MT Society of CPAs, rose in support of the bill.

{Tape : 2; Side : A; Approx. Time Counter : 4:40 p.m.}

Opponents' Testimony:

Jane Jelinski, MACo, said only about nine counties in the state have auditors. The auditor is not in a policy making position. This bill would give the auditors a broad scope of authority like intruding on the administration of any and all county officers. Performance audits are prohibited by current law by the auditors and can only be done if the commissioners agree to it.

Jim Reno, Yellowstone County Commissioners, said giving the elected auditor permission to initiate a performance audit on another elected department, opens up the possibility for perceived local gains. The auditor's job is to conduct fiscal audits. This bill will probably only affect two elected auditors in this state who are CPAs. Most of their audits are contracted out. He said they already have performance audits by having an election.

Tim Burton, Chief Administrative Officer of Lewis and Clark Co., said there are time tested checks and balances between county commissioners, the treasurer and the auditor. He said they use a private auditing firm to audit all county books. This does affect the efficiency of agencies. He said they are already audited once and don't need to be audited again.

{Tape : 2; Side : A; Approx. Time Counter : 4:46 p.m.}

Questions from Committee Members and Responses:

SEN. HARGROVE asked how does one become a certified auditor. **Tom Harrison** said they have to be a certified public accountant.

SEN. HARGROVE asked if all elected auditors in the state are certified. **Tom Harrison** said no.

SEN. HARGROVE asked what are the roles of uncertified county auditors and certified county auditors. And what is the relationship when they contract out work and is the county auditor in charge of that. **Tom Harrison** said the application of this bill would be solely to county auditors who are CPAs. County auditors may consult with county commissioners and contract work with other CPAs.

SEN. HARGROVE asked if county auditors can do these things if they are CPAs and how do they contract out. **Leo Hudetz** said in order for someone to do these types of audits they would have to be certified.

SEN. HARGROVE asked what is an audit entity. **Leo Hudetz** said an audit entity is any department within the county that the auditor is looking at.

CHAIRMAN SPRAGUE asked if counties have to subcontract out. **Leo Hudetz** said he is a CPA so he can do these audits. But all counties need an outside audit which is performed by a CPA firm. But many of these CPAs rely on the internal audit from the county auditor.

SEN. CHRISTIAENS asked what about counties that don't have auditors and is there a difference between certified internal auditors and CPAs. **Leo Hudetz** said a CPA has to meet certain standards by taking a test. A certified internal auditor has to pass almost as difficult of a test which is given by the Institute of Internal Auditors.

SEN. CHRISTIAENS said how many counties does this bill involve. **Jane Jelinski** said it would involve 10 counties.

SEN. BOHLINGER read page 1, line 30, and page 2, line 6. He asked if all of this had to be approved by the local county commissioners. **REP. BRAINARD** said that is correct. He read the duties of the county auditor. He said with the consent of the county commissioners this bill will allow an auditor to do good work for the county. Internal audits done by county auditors are very valuable in helping with external audits.

SEN. BOHLINGER asked where is the meat of this bill. **Jane Jelinski** said county auditors under current law can conduct whatever kinds of performance audits the county commissioners ask them to do. This bill is not needed.

CHAIRMAN SPRAGUE asked if **MACo** offered the amendments that were adopted in the House. **Jane Jelinski** said no.

SEN. MAHLUM asked if the auditor in Missoula does performance audits. **Susan Reed** said yes she does. Performance audits are proactive, they look at departments and see if cash is being handled well. Auditors only make recommendations.

SEN. MAHLUM asked if they audit departments to make sure they are in financial compliance. **Susan Reed** said they have lots of rules

and regulations to follow with federal grants. If they are not followed the money has to be given back and auditors make sure it is used properly.

SEN. MAHLUM asked if the auditor didn't do it, who would do it for the county. **Susan Reed** said no one would do it for the county. She said she is paid by the state and if she only did what is mandated by the state she would be a very high paid official. External auditors would not do this.

{Tape : 2; Side : A; Approx. Time Counter : 5:01 p.m.}

SEN. MAHLUM asked if their job is similar to a bank auditor, etc. and their secondary duties are performance audits. **Susan Reed** said yes.

SEN. ECK asked if there is anything that they could do if this bill was passed that they cannot do now. **Susan Reed** said in Missoula county she has this authority already, but in other counties they would need this bill.

SEN. ECK asked if there are only two auditors that are CPAs in the state. **Susan Reed** said that is correct.

CHAIRMAN SPRAGUE asked if he could be a county clerk and the county auditor at the same time. **Leo Hudetz** said under current statute yes, and they would have to be a registered voter of the county.

CHAIRMAN SPRAGUE asked if he would have to contract the professional work out. **Leo Hudetz** said yes, if they wanted to have professional work from a CPA it would have to be contracted.

Closing by Sponsor:

REP. BRAINARD said they are talking about the public's money and are trying to upgrade what county auditors can do. These auditors can provide valuable services and help save the counties money.

{Tape : 2; Side : A; Approx. Time Counter : 5:05 p.m.}

EXECUTIVE ACTION ON HB 326

Motion/Vote: **SEN. ECK** moved HB 326 BE TABLED. Motion passed 7-4 with Grimes, Lynch, Mahlum, and Sprague voting no.

EXECUTIVE ACTION ON HB 325

Motion: SEN. CHRISTIAENS moved HB 325 BE CONCURRED IN.

Discussion:

SEN. TESTER said this may create some problems between neighbors.

SEN. CHRISTIAENS said it will clear up some problems in his area with five acre plots and will give the sheriff some sort of recourse.

Vote: Motion carried 9-2 with Hargrove and Tester voting no.

EXECUTIVE ACTION ON HB 586

Motion/Vote: SEN. CHRISTIAENS moved that AMENDMENTS HB058601.amv BE ADOPTED. (EXHIBIT 4) Motion carried unanimously.

Motion/Vote: SEN. MILLER moved HB 586 BE CONCURRED IN AS AMENDED. Motion carried unanimously.

EXECUTIVE ACTION ON HB 338

Motion/Vote: SEN. CHRISTIAENS moved HB 338 BE CONCURRED IN. Motion carried unanimously.

EXECUTIVE ACTION ON HB 614

Motion/Vote: SEN. CHRISTIAENS moved AMENDMENTS HB061401.amv BE ADOPTED. EXHIBIT(los65a09) Motion carried unanimously.

Motion/Vote: SEN. CHRISTIAENS moved HB 614 BE CONCURRED IN AS AMENDED. Motion carried unanimously.

EXECUTIVE ACTION ON HB 212

Motion: SEN. CHRISTIAENS moved HB 212 BE CONCURRED IN.

Discussion:

CHAIRMAN SPRAGUE said the county commissioners have ignored the law for years and last session they made it apparent that they must be in compliance with the law. This has only been working for two years.

SEN. CHRISTIAENS said with current law this is an unfunded mandate and they need to put money in a budget that goes to local government concerning this issue.

Vote: Motion **carried 8-3 with Glaser, Lynch, and Sprague voting no.**

ADJOURNMENT

Adjournment: 5:19 P.M.

SEN. MIKE SPRAGUE, Chairman

JODI PAULEY, Secretary

MS/JP

EXHIBIT (los65aad)